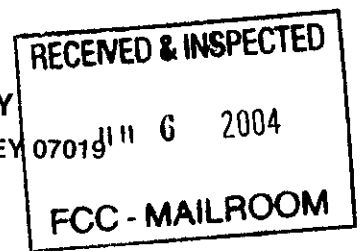




**POLICE DEPARTMENT**  
**THE CITY OF EAST ORANGE, NEW JERSEY**  
61 NORTH MUNN AVENUE EAST ORANGE, NEW JERSEY  
ROBERT L. BOWSER, Mayor



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June 15, 2004

The Honorable Michael K. Powell  
Chairman  
Federal Communications Commission  
455 12<sup>th</sup> St., SW  
Washington, DC, 20500

Dear Chairman Powell:

As Chief of the East Orange Police Department, I am writing to express my concerns about a proposal (WT Docket 02-55) Nextel now has before your commission. As you know, Nextel's frequencies have for some time interfered with the transmission capabilities of police and other emergency personnel. Nextel's response to this has been sporadic and, in most cases, unsuccessful.

Now, it is proposing to fix these problems in exchange for bypassing the traditional auction process for available spectrum required by the Communications Act. It is my understanding that another company-Northpoint- tried a similar no-bid spectrum auction which Congress and the FCC opposed.

Nextel's proposal has several disturbing parts to it. First, it undercuts the U.S. Treasury as much as several billion dollars at a time when the country is running deficits in the trillions of dollars. It also rewards Nextel for its longtime inaction on this public safety issue.

The FCC, and if necessary Congress, should direct Nextel to fix a problem it has created with the technology the company uses using the 800 MHz rebanding plan endorsed by the public safety community - with no strings attached. This would avoid the "pay later" pitfalls that are inherent in Nextel's plan. Secondly, the FCC should take its normal path for releasing available spectrum through a public auction in which all telecommunications companies could compete and the government would receive fair market value for the spectrum.

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This plan does not have the support of local public safety organizations, the

Fraternal Order of Police or the Federal Law Enforcement Officers Association. More disturbing are some of the high-profile advocates of this plan who will benefit through stock options that will be worth millions if this plan goes through.

I appreciate your attention to this matter and trust you will do what is right in the interest of the public safety community, the citizens who depend on that community and the American taxpayers who will bear the cost of giving away discounted spectrum to Nextel.

Sincerely,

A handwritten signature in black ink that reads "Charles Grimes". The signature is written in a cursive style with a large, prominent "C" and "G".

Charles Grimes  
Chief of Police